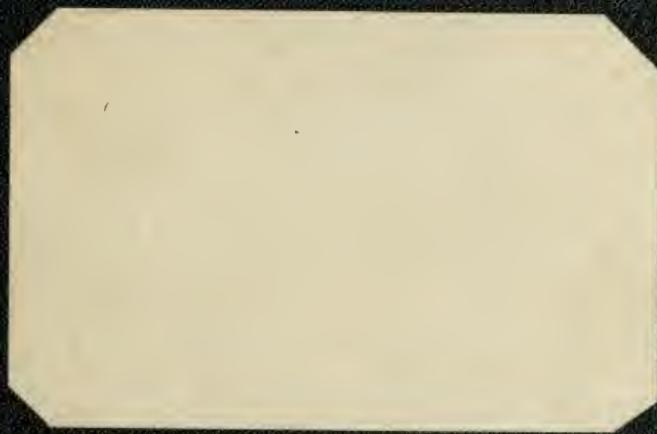


E 438  
.S25  
Copy 1





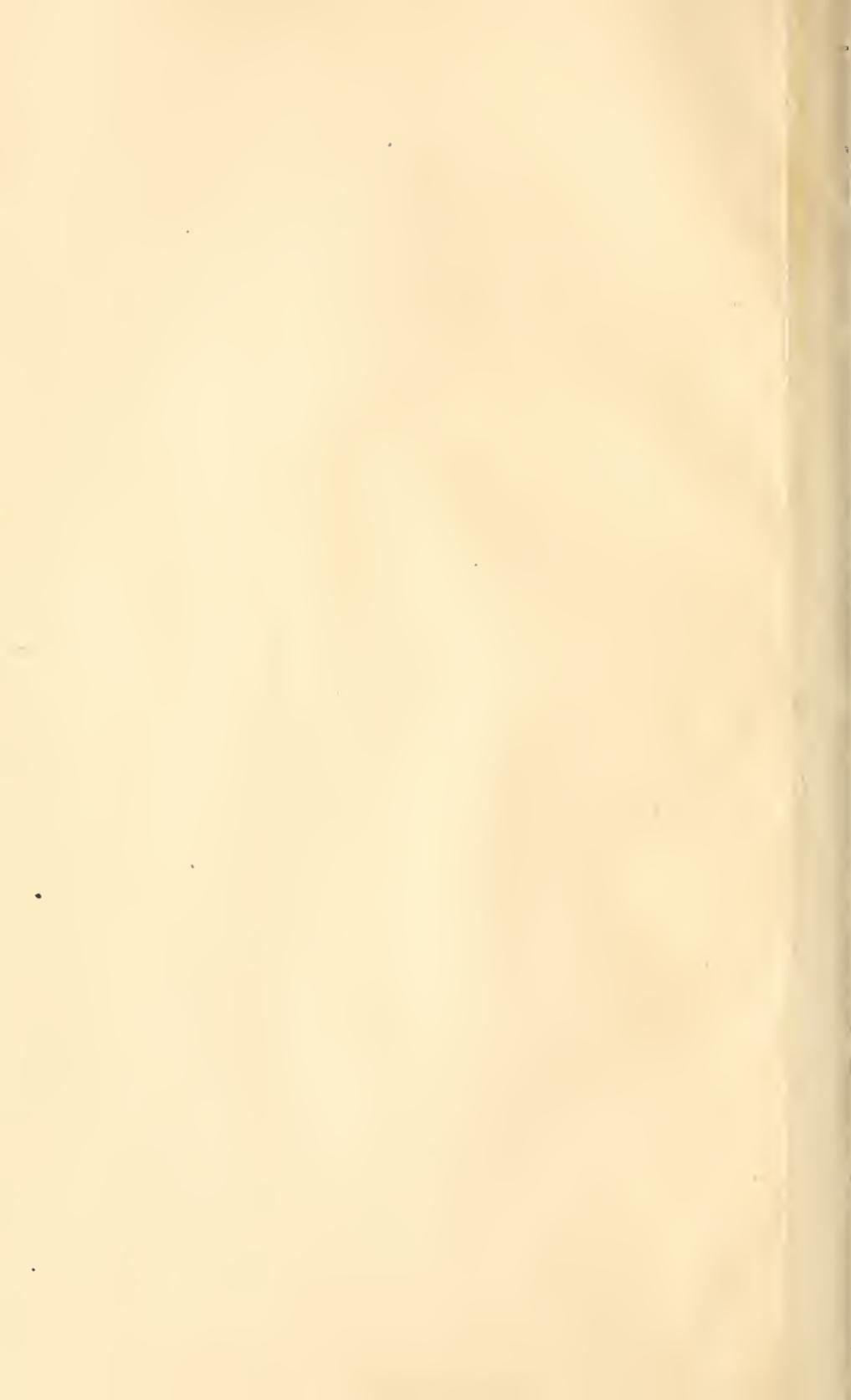
Class E 438

Book S 25









S P E E C H  
O F  
HON. WILLARD SAULSBURY,  
O F D E L A W A R E ,  
O N  
T H E S T A T E O F T H E U N I O N .

DELIVERED IN THE SENATE OF THE UNITED STATES, APRIL 2, 1860

The Senate having resumed the consideration of the resolution submitted by Mr. DAVIS on the 1st of March, Mr. SAULSBURY said—

Mr. PRESIDENT: It is not my intention to speak to the merits of the resolutions submitted by the Senator from Mississippi. They are the occasion rather than the text of my discourse. I propose to speak briefly to-day concerning the state of the Union; to inquire whether its harmony is endangered; whether its integrity is threatened; whether its existence is imperiled; and if so, by what means and through whose agency such results have been produced; upon whom responsibility therefor rests, and whether there be any remedies for such evils, and what those remedies are. Taught from earliest boyhood to respect the teachings of the Father of his Country as both patriotic and wise; to regard his admonitions with reverence, and to believe that his precepts should be by all observed; believing that the liberties which our fathers achieved can only be permanently secured by the preservation of the Union which they formed; that liberty and union are one and inseparable, I have accustomed myself to regard our Federal Union as the palladium of our liberty, and for that, above every other reason, earnestly to oppose every political party organization whose principles were calculated, if practically applied in the administration of the General Government, to alienate the affections of the people of one portion of our common country from the people of another.

That differences of opinion should exist, both in reference to the domestic and foreign policy of a Government, in a country where such policy is dependent upon the popular will, is neither a matter of wonder nor cause of regret; but that a people possessing the inestimable blessings of a free Government, themselves the real sovereigns, and those charged with the administration of public affairs their agents, subject to their control, and removable at their pleasure,

should allow those differences, in themselves capable of legal and satisfactory adjustment in accordance with the fundamental law of their political society, to endanger that possession, to wreck the fortunes of the present, to blight the hopes of the future, shows them unmindful of liberties which are theirs by inheritance, not by purchase, and should subject their memories to the withering execration of the teeming millions of the future time, who may learn from the truthful narrative of some future Gibbon, sitting amid the crumbling ruins of their once proud and mighty capital, the blessings which they madly spurned and the destiny which they ingloriously surrendered. That such may be our sad, our mournful fate as a people, the indications of the present, no less than the examples of the past, admonish, unless we timely pause, calmly think, and wisely act. It is not in the struggles of national infancy, nor in the early battlings with adverse fortune in individual life, that the existence of the one is generally destroyed, or the hopes of the other forever blasted. Prosperity is more dangerous to either than adversity; and each would be equally fortunate, could the spirit by which prosperity was attained be remembered and practiced, when dangers have been passed and difficulties subdued.

Scarce eighty years have passed away since our fathers, few in numbers, but brave in spirit, fought the battles of the Revolution. They came from the North, they came from the South, they came from the East, they came from their then West, and, by their united efforts, achieved a common liberty for a common people, liberty for themselves, and liberty for us, their posterity. To achieve that liberty, many of them fell a sacrifice on freedom's altar.

"They fell, devoted but undying,  
The very gales their names seem sighing;  
The waters murmur of their name,  
The woods are peopled with their fame;  
The meanest rill, the mightiest river,  
Rolls mingling with their fame forever."

To secure the liberty thus achieved to themselves and to their posterity, the people of the several States agreed to meet together through their representatives, and consult for the general good—the good not of each separately, but of the whole unitedly. They did meet; they did consult in the spirit of fraternal feeling. They were not without their differences of opinion; they were not without their apparent conflicts of interest; but these differences were adjusted; these conflicts were not "irrepressible;" they were harmonized, and they entered into a compact; they formed a Union which they intended to be perpetual, and which will endure forever if we act for its preservation in the same spirit of moderation and justice in which they acted in its formation. Our fathers were wise men—practical men. They had not studied in the schools in which were taught the sublimated theories of "irrepressible conflicts." They assumed not to be wiser than their Maker, nor better than their Saviour. They essayed not to question the "ways of Providence to man," nor impiously assumed the moral government of the world. They had not even learned the simple nomenclature of "capital States" and "labor States" now incorporated into the political vocabulary of ambitious aspirants for official positions which they have never merited, and of political honor;

which, if conferred, would be worn only to be disgraced. They found society formed; they did not attempt to reform or disrupt it. They were members of distinct and independent political communities, differing, to some extent, in their domestic institutions and economic pursuits, but discovered in these no serious impediment to a common union for a common good.

Under the mysterious dispensations of an allwise Providence, African slavery had existed in the thirteen original colonies almost from the time of their first settlement. It had become incorporated into the very frame-work of society. Had it been desirable, it would have been impossible for the superior or white race to rid themselves of the inferior or servile race. The discovery of the equality of races so manifestly distinct that both the forming finger and providence of the Almighty are traceable in that distinction, was reserved for the political seers of a subsequent generation. The framers of the Constitution were the representatives of independent political sovereignties. They formed a Federal Union for the common benefit of all. They clothed the Federal Government with such powers, and such powers only, as they considered essential or necessary for the equal and common interest and protection of each and all. They reserved to the States respectively the regulation and government of their own domestic institutions and internal polity in their own way. They did not question the right of property in slaves; but as, from the nature of that property, its owners might be subjected to its loss by reason of its escape, either voluntarily or through the solicitations and persuasions of others, and as the Constitution was formed, among other things, to secure domestic tranquillity to the people of the States, and between the States themselves, the fathers provided in the Constitution, in the common bond of their Union, that—

“No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.”

Here is a distinct and positive recognition in the Federal Constitution of the right of property in slaves. Here is a constitutional recognition that one man may have a right of property in another, and a constitutional guarantee that such right shall be respected and enforced, not only against the opposition of individuals, but against the interference of States. “Historically,” remarks Justice Story, in the case of *Prigg vs. The Commonwealth of Pennsylvania*—

“It is well known that the object of this clause was to secure to the citizens of the slaveholding States the complete right and title of ownership in their slaves *as property in every State of the Union*, into which they might escape from the State where they were held in servitude. The full recognition of this right and title was indispensable to the security of this species of property in all the slaveholding States; and, indeed, was so vital to the preservation of their domestic interests and institutions, that it cannot be doubted that it constituted a fundamental article, without the adoption of which the Union could not have been formed. Its true design was to guard against the *doctrines and principles* prevalent in the non-slaveholding States, by preventing them from intermeddling with, or obstructing, or abolishing the rights of the owners of slaves.”

Again, in his Commentaries on the Constitution, he remarks:

“The want of such a provision under the Confederation was felt as a grievous *inconvenience* by the slaveholding States; since in many States no aid whatever would be allowed to the owners, and sometimes, indeed, they met with open resistance.”

And here, sir, it may be remarked that this provision was incorporated in the Constitution by the unanimous vote of that body; and that it appears, from the opinion and commentaries of Mr. Justice Story cited, that—

“Its true design was to guard against the *doctrines and principles* prevalent in the non-slaveholding States, by preventing them from intermeddling with, or obstructing, or abolishing the rights of the owners of slaves.”

What were those principles and doctrines? The same which have been recently revived, and which are now advocated by the leaders and masses of the Republican party: that slavery is a moral, social, and political evil; that it is contrary to the law of God; and that all men—African slaves as well as American freemen—are born free and equal; and that political institutions which deny them equal political rights and advantages are unjust; and that the denial to them of these rights is in contravention of the Scripture injunction, Do unto others as you would that they should do unto you. Let those who now profess such a reverence for the memory of the fathers, know that those very fathers, by incorporating this provision in the Federal Constitution, meant to guard their countrymen against the doctrines and principles which they now advocate; and to prevent, in the future, the repetition of the wrongs resulting from these doctrines and principles which had been suffered in the past.

Upon this provision and its historical illustrations, I remark that the Constitution, in which it is contained, having been ratified by the people of the several States, and thereby the general advantages which it was designed to secure having been obtained by them, the faith of such States, and of every State which has since been admitted into the Union under it, was and is pledged to see to it that this clause, as well as every other therein, is fairly observed and honestly enforced. It is the agreement, it is the covenant, it is the bond. Each citizen is bound to see that the faith of his State is preserved; and any attempt, either by the individual citizen or by a State to evade or violate, weaken or annul, the obligation thus assumed, is personal dishonor and State perfidy. But, sir, our fathers were not perfidious. They assumed obligations as patriots, as patriots they discharged them. In 1793, they passed the first fugitive slave act to carry out in good faith this provision of the Federal Constitution. It was approved by George Washington, president of the convention which framed the Constitution, and then President of the United States. Under his administration, and those of the elder Adams, of Jefferson, and of Madison, the domestic and foreign policy of the Government was shaped and advanced, if not perfected. The public mind of the country was at times deeply agitated in reference to that policy, and deeply stirred by the discussions of questions connected therewith. But from the violation of plighted faith there was no cause for general or sectional complaint. The fathers of the Republic had heeded the patriotic counsels of Washington against the formation of political parties founded upon geographical distinctions and sectional issues. No State had been denied admission into the Union on account of the character of its domestic institutions.

But many of the fathers had fallen asleep. Most of those remain-

ing had gone into the retirement of private life, and there awaited, in the tranquility of age, the expected summons to their kindred dead. But, sir, that repose was destined to a most terrible shock. A people who had successfully achieved their independence of a powerful foreign and oppressive foe, who had established a free and independent Republic, far, far away from the seats of former civilized political empires; a Republic the anomaly of the present, and fit to be the model of the future; who had witnessed the principles of the Government they had established practically and felicitously applied in the development of their national resources and in the expansion of their growing power; who in a second struggle with their former oppressor had vindicated their national honor and successfully maintained their national rights, now, that peace with her olive branch had again returned to bless the husbandman in his toil, the merchant in his traffic, the artisan in his trade, and all in their honorable pursuits, were suddenly startled by the fearful apprehension that the Government they cherished was about ingloriously to end, not from the assaults of a foreign foe, but from the folly and madness of those upon whom its blessings were lost.

At the time of the adoption of the Constitution nearly all the States were slaveholding states. In 1819 and 1820, many of them having found that slave labor was to them unprofitable, unsuited to their soil, their climate, and industrial pursuits, and having to a great extent parted with their slaves for a valuable consideration, by sending them among their more southern brethren, where the condition of the slave would be improved, and where his labor would be more remunerative, had become non-slaveholding States. No one of these States, however, had freed their slaves solely from motives of humanity. Economic considerations mainly influenced their action. While interest was demandant, philanthropy was dormant. When personal interest ceased, humanity—falsely socalled—became active. The Constitution of the United States had provided that “new States may be admitted into this Union.” There was no qualification annexed, and no condition imposed, in respect to the domestic institutions or internal polity of such States. No such qualification or condition could, therefore, constitutionally be imposed by Congress upon the admission of a State. All the States of the Union are, under the Constitution, equal. Those originally ratifying the Constitution did so as equals, being the sole judges of what their domestic institutions should be. Unless those to be admitted by Congress upon their application were equally their own judges in this respect, then they would not be equals with the other States.

Under these circumstances, and at the time I have mentioned, Missouri applied for admission into the Union. Her government was republican in form. She labored under no constitutional disqualification for admission. Does any one believe that if Missouri had been an independent community, as was New York, as was Delaware, at the time of the formation of the Constitution, that, under the same circumstances, her admission into the Union would have been opposed? Does any one believe that had the framers of that instrument been clothed with the power of determining whether Missouri should be

admitted, they would have refused her admission? Not unless party prejudice has so blinded his judgment as to render it an unsafe counselor even in the ordinary duties of life. Yet, sir, the admission of Missouri was opposed, and the Senator from New York has said "history tells us that the Union reeled under the vehemence of that great debate."

If such be the fact, it only proves that there were men then, for the first time in the Federal Congress, as there are men now throughout this country, who, for the purpose of gaining a sectional and party triumph or securing for themselves and their followers the high places of power and the emoluments of office, in the prosecution of unconstitutional measures, would cause the Union of their country to reel. Sir, in that struggle patriotism did not take counsel from prudence, as suggested by the Senator from New York; but patriotism unwise-ly listened to the demands of ambition. If ever there was a blot and a blur upon the statute-book of this country, it was the miscalled com-promise of 1820. It was a statute, since judicially decided to be un-constitutional, which was exorted from patriotism by the spirit of rev-olution and the suggestions of selfishness. Sir, ever since I read the able and conclusive argument of the eloquent and gifted Pinckney upon the Missouri restriction, I have regarded the motives that de-manded it, and the restriction itself, and the provision of the act of 1820, which attempted to prescribe the conditions of the admission of States into this Union, with a loathing and a detestation which is only half removed by the tardy but patriotic repeal of such conditions in 1854.

Mr. President, our opponents are given to much talking about the aggressions of the slave power. They would have the country be-lieve—they even have the effrontery to assert on this floor—that the peace of that country, in reference to the institution of domestic slave-ry, would have been uniform and unbroken, had it not been for the unreasonable and unconstitutional demands of that power. To his-tory I appeal. Let her decide the controversy. Who was it that created the excitement in 1819 and 1820? Was it the friends and supporters of the eqnal rights of the States, those who then favored the principle that each State and the people of each Territory when they came to form a constitution, preparatory to their admission as a State into the Union, should form and regulate their own domestic institutions in their own way; or was it those who thought as the Re-publican party now profess to think, that Congress should form and regulate those institutions for the people of the Territories? Had the slave propagandists of the South forced slavery upon the people of Missouri? Had "border ruffians" from other States expelled the friends of freedom from her fertile plains? Had not her own people, freely, of their own choice, established among themselves the relation of master and slave? Did she not, with that relation thus established, apply for admission as a State into the Union? Had not Congress the power to admit her? Would there have then been any excitement in the country in reference to slavery if objection had not been made to her admission? Who made that objection? Was it the Demo-cratic party of that day; was it the Representatives from the slave-

holding States, or was it the Representatives from the non-slaveholding States; those who, for the accomplishment of partisan purposes, had become the advocates of the free-soil principle which has since become intensified into modern Republicanism? By the record the assertions of the Republican party are refuted. By the record, the enemies, not the friends, of domestic slavery are proved to be responsible for the first excitement since the formation of the Constitution upon this subject.

But, sir, we are told by the Senator from New York, that the "question of 1820 was identically the question of 1860, so far as principle, and even the field of its application, was concerned. Every element of the controversy now present entered it then; the rightfulness or the wrongfulness of slavery; its effects, present, and future; the constitutional authority of Congress; the claims of the States, and of their citizens; the nature of the Federal Union, whether it is a compact between the States, or an independent Government; the springs of its power, and the ligatures upon their exercise." Sir, I accept the issue, and will hereafter consider it more particularly in reference to its principle. But the Senator, like most of the members of his party, who are also members of this body, professes great reverence for the memory and labors of the fathers. I wish to cite the opinions of one of those fathers in reference to this issue of 1820, which is said to be the issue of 1860; and of one for whose opinions upon the subject of slavery some of our opponents have expressed unbounded admiration. In the retirement of private life, and in the venerableness of declining years, lived Thomas Jefferson at Monticello, in his own native and loved Virginia, when the controversy of 1819 and 1820 startled the country from its comparative repose. His hand had drafted the Declaration of Independence. He had been a chief in establishing the principles and policy of the infant Republic. He was now awaiting his summons to the spirit land. He was "originally opposed," remarks his biographer, "to the slavery restriction clause of the bill, and equally so to the establishment of the 'Missouri compromise bill,' as it was called." Instead of regarding the efforts of those who opposed the admission into the Union with favor, and approving their motives, he readily apprehended, and promptly exposed, their true designs. In a letter to C. C. Cabell, dated January 22, 1820, he thus declares:

"The Missouri question is for power."

Again, in a letter to H. Nelson, dated March 12, he says:

"I thank you, dear sir, for the information, in your favor of the 4th instant, of the settlement for the present of the Missouri question. I am so completely withdrawn from all attention to public matters, that nothing less could arouse me than the definition of a geographical line which, on an abstract principle, is to become the line of separation of these States, and to render desperate the hope that man can ever enjoy the two blessings of peace and self-government. The question sleeps for the present, but is not dead."

Again, in his letter to Mark Langdon Hill, April 5, of the same year, he says:

"I congratulate you on the sleep of the Missouri question. I wish I could say on its death; but of this I despair. The idea of a geographical line once suggested, will brood in the minds of all those who prefer the gratification of their ungovernable passions to the peace and union of their country."

In a letter to William Short, of the 13th of April, he observes :

"Although I had laid down as a law to myself never to write, talk, or even think of politics; to know nothing of public affairs, and therefore had ceased to read newspapers, yet the Missouri question aroused and filled me with alarm. The old schism of Federal and Republican threatened nothing, *because it existed in every State*, and united them together by the fraternalism of party. But the coincidence of a marked principle, moral and political, with a geographical line once conceived, I fear would never more be obliterated from the mind; that it would be recurring on every occasion, and renewing irritations until it would kindle such mutual and mortal hatred as to render separation preferable to eternal discord. I have been among the most sanguine in believing that our Union would be of long duration. I now doubt it much, and see the event at no great distance, and the direct consequence of this question, not by the line which has been so confidently counted on—the laws of nature control this—but by the Potomac, Ohio, Missouri, or more probably the Mississippi, upwards to our northern boundary. My only comfort and confidence is, that I shall not live to see this; and I envy not the present generation the glory of throwing away the fruits of their fathers' sacrifices of life and fortune, and of rendering desperate the experiment which was to decide ultimately whether man is capable of self-government. This treason against human hope will signalize their epoch in future history as the counterpart of the medal of their predecessors."

And in his celebrated letter to John Holmes, which has heretofore been cited in this Chamber, by opposition Senators, he says :

"I thank you, dear sir, for the copy you have been so kind as to send me of the letter to your constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment; but this is a reprieve only, not a final sentence. A geographical line coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of man, will never be obliterated; and every new irritation will mark it deeper and deeper."

And again :

"Of one thing I am certain: that as the passage of slaves from one State to another would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation by dividing the burden on a greater number of coadjutors. An abstinence, too, from this act of power would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the Constitution has taken from them and given to the General Government."

"I regret that I am now to die in the belief that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons; and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away against an abstract principle, more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world."

But I will not multiply quotations. These sufficiently show the motives of those who caused the "Union to reel" in 1820. It was the thirst for power; not the promptings of philanthropy or the love of freedom. "The question sleeps," says Jefferson, "it is not dead." "This is only a reprieve, not a final sentence." Subsequent events proved his opinions to be prophecies. Mislabelled a compromise, it was never observed nor intended to be observed by those who extorted it. The possession of present power never gratifies; it must continue, expand, and be perpetual. Hence, aggression is its handmaid; injustice and oppression its agencies.

This much-talked of compromise proved to be no compromise at all.

Why not; and who are responsible therefor? Even the Senator from New York, in his arraignment of the Democratic party at Rochester, unintentionally, it is true, but in fact, absolves it, and admits its enemies to be responsible for whatever of excitement and of agitation has existed upon this subject. Hear him. He says:

"From 1838 to 1844, the subject of abolishing slavery in the District of Columbia and in the national dock-yards and arsenals, was brought before Congress by repeated appeals. The Democratic party thereupon promptly denied the right of petition."

Who was it, then, that renewed the slavery agitation; who were unwilling to let things remain as the fathers left them; who, from 1838 to 1844, were making their appeals to the national Congress to legislate further, notwithstanding the Missouri compromise, upon the subject of slavery? Was it the Democratic party? Assuredly not, if the Senator from New York is a credible witness. They only refused to legislate upon this exciting subject when called upon to do so, against the faith of compromises, the guarantees of the Constitution, and the peace of the country, by anti-slavery agitators, who had no possible practical interest in the legislation they demanded. Again, says the Senator:

"From 1840 to 1843, good and wise men counseled that Texas should remain outside of the Union until she should consent to relinquish her self-instituted slavery;"

and charges that the Democratic party precipitated her admission into the Union. This is only additional evidence that, upon every occasion when the subject of domestic slavery has awakened excitement either in or out of Congress, such excitement has been produced, not by the Democratic party, but its enemies. They have invoked the action of Congress for its suppression in the original Territories; they have opposed the acquisition of other territory, unless the people thereof would abandon their own domestic institutions, and allow the anti-slavery sentiment of the country to say what those institutions should be.

Again, when we acquired our Mexican possessions, what occasioned the excitement then existent in the country? The attempt not to legislate slavery into, but to exclude slavery therefrom; to prevent its going there; to determine in advance what the domestic institutions of a distant people should be; to determine these matters for them, and not allow them to determine them for themselves. When, for the purpose of preventing excitement and sectional feeling upon this subject, propositions have been made in Congress by Democratic members to extend the Missouri compromise line to the Pacific ocean, the propositions have invariably been opposed by these pretended friends of that compromise, but real disturbers of the public peace.

I will not dwell upon the history of the compromise measures of 1850. How intense was the excitement, how bitter the controversy, is already but too familiarly known. If by their adoption, the storm was apparently for a time allayed, it was soon to be revived, with far greater intensity; to grow and swell until the "Union was indeed to reel under the vehemence of the great debate." The passage by Congress of the fugitive slave law, as one of those measures to carry more fully into effect the great constitutional compact entered into by

our fathers, was seized upon by designing men as a pretext for popular appeal to a blind and fanatical spirit, pervading too much the great northern portion of our country. Men of extreme views and unbounded personal ambition, unwilling to bide their time, perceived in this spirit an engine of political power, and a means, if it could be made available, of displacing the more conservative men in the free States; and when Congress, finally, in establishing the Territories of Kansas and Nebraska, repealed a former unconstitutional act, the occasion was too opportune for the purposes of sectional agitation to be left unimproved by personal ambition. State after State attempted, by its legislation, to nullify the fugitive slave law; and a great sectional party arose, relying solely for success upon the superior strength of section over section, waging a political warfare, which, for virulence of feeling and bitterness of speech, is scarcely equaled in the history of partisan struggles in this or any other civilized country, either in ancient or modern times. Having selected an adventurer as their standard-bearer, they enter the contest of 1856, the assumed representatives of the philanthropy, the morality, civilization, and Christianity of the age; and without scarcely a friend or follower in fifteen States of the Union, they emerge from the conflict self-surprised at their almost triumphant success. Upon the distant plains of Kansas they placed in the hands of their maddened followers the deadly rifle for the destruction of its peaceful inhabitants, and echoed far, far away towards the setting sun the impious sentiment, fallen from the lips of a degraded priesthood that in life's civilization, the rifle is more efficient and more pleasing in the sight of the Almighty than His own most Holy Word. Struggling for place and power, they have told their deluded followers that, in God's law, and in the Declaration of American Independence, it is written that all men are created free and equal, and that neither the arbitrary regulations of political communities nor the constitutions of civilized States can interpose rightful barriers to the inalienable rights of man.

There is one listens to their teachings, believes in their principles, and resolves to carry them out to their logical conclusions. John Brown, in the privacy suited to the accomplishment of a desperate purpose, collects his meager but determined forces, and goes forth upon his mission to free the slave, even by the murder of his master. The stillness of a Sabbath's night is chosen for the accomplishment of the hellish deed, and ere the morning sun relumes the heavens, quiet and peaceful citizens sleep the last cold sleep of death. And where did all this occur? Almost in sight of the spot where repose the ashes of him whose hand drafted the declaration of a nation's independence; of him who made that declaration good by leading the infant armies of his country forth in glorious and successful war; and of him who, of all men, did most to frame that bond of Union—the Constitution of his country—which made the people of this land one in interest, one in right, and one in destiny. As the dread news is borne along, the mother clasps her unconscious infant more closely to her bosom, and the manly father girds himself for the defence of his country and his home. The invader, the murderer, and the traitor is seized, and awaits in a felon's cell the execution of the law's decree.

Sympathizing messages are borne to him from sympathizing spirits far away, reminding him of his glorious fate, and still more glorious future historic name. Even Senators, while disapproving of the act, avow the sympathy of their people for the qualities of the felon hero; and a powerful press, the general representative of Republican principles, declares that John Brown will hereafter be regarded as the most glorious martyr in the history of martyrology. The whole land has been convulsed. The Senate of the United States is divided, as if by a hostile line, and those on either side regard each other as common foes. Can these things be, and this Union stand? If the American people are wise, they will deeply ponder this question.

In tracing the history and causes of political events, I have indicated my views in reference to the questions whether this Union is imperiled, and what political party is responsible therefor? But in criminality there may be degrees. The man who has done more than any other to bring this Union to the verge of dissolution, who has most persistently uttered teachings and advised a policy which inevitably tend to that result, is now an aspirant for its highest honors. He recently delivered a speech in this body, in which he professed great respect for the principles and action of the fathers of the Republic. In reference to the difficulties they encountered in the formation of the Constitution, he remarked:

"The fathers disagreed, debated long, and compromised at last. Each State they determined shall have two Senators in Congress; three-fifths of the slaves shall be elsewhere represented, and be taxed as persons. What should be done if the slave should escape into a labor State? Should that State confess him to be a chattel, and restore him as such? or might it regard him as a person, and harbor and protect him as a man? They compromised again, and decided that no person held to labor or service in one State, by the laws thereof, escaping into another, shall, by any law or regulation of that State, be discharged from such labor or service; but shall be delivered up, on claim, to the person to whom such labor or service shall be due."

Well, sir, the Senator has furnished some memorable illustrations of his very high regard for this compromise and decision of the fathers. History tells us that the Senator was once Governor of the State of New York, and that whilst he held that position, three persons resident in that State were charged on oath in the State of Virginia with having feloniously stolen, taken, and carried away a negro slave belonging to a citizen of Virginia from his possession; and upon this charge, a demand was made by the Governor of Virginia upon the Governor of New York for their surrender as fugitives from justice. The Governor at first attempts to find fault with the form of the affidavit; but finally meets the question boldly, and refuses compliance with a constitutional requirement. In his letter to the Governor of Virginia, he says:

"But it is by no means my wish to protract unnecessarily the correspondence on this subject, or to avoid a decision upon the important principle it involves. I beg leave, therefore, to state most respectfully that even were I to admit that the affidavit was sufficient in form and substance to charge the defendants with the crime of stealing a negro slave from his master in the State of Virginia, as defined by the laws of that State, yet, in my opinion, the offence is not within the meaning of the Constitution of the United States."

The reason for his opinion was, in substance, that, inasmuch as the State of New York was a free State, slave stealing was no offence

against her, and, there being no law in that State recognizing slavery, her citizens could go into Virginia and steal as many slaves as they pleased, and with perfect impunity, if they were not overtaken by the authorities of Virginia before they returned to the sheltering bosom of New York and the protecting arm of her Constitution-loving Governor. The provision of the Constitution is as follows:

"A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime."

The absurdity of the proposition contended for by the Governor of New York is this: that according to it there can be no crime against the sovereignty of Virginia within the meaning of the Constitution which New York declines by her legislation to make a crime against her own sovereignty; and therefore, if New York declines to make treason, felony, or other crime, punishable within her jurisdiction, there is no constitutional obligation upon her to surrender fugitives from justice from other States. But I will not argue the proposition. This was only slave stealing; and that, according to the political and moral ethics of the Senator, may be a virtue, not a crime.

John Brown avowed, I believe, that his object in his invasion of Virginia was to carry off slaves—peaceably if not resisted, forcibly only if opposed. Had he succeeded in his purpose without bloodshed, and escaped to his home in New York with all the slaves of Virginia, what a fortunate Governor for him would he have found in the Senator from New York! But the Senator has on another occasion expressed his devotion to the compromises of the fathers. He made a speech in the State of Ohio, which has already been cited against him this session. I quote from it only to preserve the symmetry of his record for public admiration. Hear him :

"The party of freedom seeks complete and universal emancipation." \* \* \*

"Slavery is the sin of not some of the States only, but of them all; of not one nation only, but of all nations. It perverted and corrupted the moral sense of mankind deeply and universally, and this corruption became a universal habit. Habits of thought become fixed principles. No American State has yet delivered itself entirely from these habits. We, in New York, are guilty of slavery still by withholding the right of suffrage from the race we have emancipated. You, in Ohio, are guilty in the same way by a system of black laws still more aristocratic and odious. It is written in the Constitution of the United States that five slaves shall count equal to three freemen as a basis of representation; and it is written also, in violation of Divine law, that we shall surrender the fugitive slave who takes refuge at our fireside from his relentless pursuer. You blush not at these things, because they have become as familiar as household words; and your pretended Free-Soil allies claim peculiar merit for maintaining these miscalled guarantees of slavery which they find in the national compact. Does not all this prove that the Whig party have kept up with the spirit of the age? that it is as true and faithful to human freedom as the inert conscience of the American people will permit it to be? What, then, (you say,) can nothing be done for freedom because the public conscience remains inert? Yes, much can be done; everything can be done. Slavery can be limited to its present bounds. It can be ameliorated. It can be and must be abolished, and you and I can and must do it. The task is simple and easy, as its consummation will be beneficent and its rewards glorious. It requires only to follow this simple rule of action: to do everywhere and on every occasion what we can, and not to neglect or refuse to do what we can at any time, because at that precise time and on that particular occasion we cannot do more.

"Circumstances determine possibilities." \* \* \* \* \*

"But we must begin deeper and lower than the composition and combination of factions or parties, wherein the strength and security of slavery lie. You answer that it lies in the Constitution of the United States and the constitutions and laws of slaveholding States.

Not at all. It is in the erroneous sentiment of the American people. Constitutions and laws can no more rise above the virtue of the people than the limpid stream can climb above its native spring. Inculcate the love of freedom and the equal rights of man under the paternal roof; see to it that they are taught in the schools and in the churches; reform your own code; extend a cordial welcome to the fugitive who lays his weary limbs at your door, and defend him as you would your paternal gods; correct your own error, that slavery has any constitutional guarantee which may not be released, and ought not to be relinquished."

" Whenever the public mind shall will the abolition of slavery, the way will be open for it.

" I know that you will tell me this is all too slow. Well, then, go faster if you can, and I will go with you."

Sir, John Brown did go faster. He went to Virginia; and the Senator went to view the Pyramids. Surely those who, in life, had been so intimately associated in purpose, object, aim, hope, in death should not have been divided.

The Senator, when addressing the American Senate on the eve of a presidential election, when he is aspiring to the highest office within the gift of the people, when the public sense and feeling of the country—North, South, East, and West—have been shocked by the practical results of his former teachings, and when rival aspirants of supposed greater moderation of views in his own party are threatening him with defeat, can talk of the compromises of the fathers in reference to domestic slavery; but in addressing the masses of Ohio those very compromises are the subject of his ridicule. He exhorts them to "correct their error that slavery has any constitutional guarantee which may not be released, and which ought not to be relinquished." He tells them that "it is written in the Constitution of the United States that five slaves shall count equal to three freemen as a basis of representation; and it is written also, in violation of Divine law, that we shall surrender the fugitive slave who takes refuge at our fireside from his relentless pursuers." He tells *us* that the fathers agreed, by compromise, to these things, and would have *us* believe that he consents to them; but he tells the men of Ohio to "extend a cordial welcome to the fugitive who lays his weary limbs at your door, and defend him as you would your paternal gods."

It is not slavery in the Territories that engages his great thoughts. It is slavery as it is recognized in the Constitution, and as it exists in the States. This, he tells them, "can and must be abolished, and that he and they can and must do it." But, sir, had the recent speech of the Senator in this body been one of definite positions in reference to this subject, instead of being composed of glittering generalities, what reliance could be placed upon his fidelity to them, or of fidelity on the part of those whom he represents, when he himself has told *us* of the value of pledges, programmes, and platforms. Hear him in his celebrated irrepressible speech at Rochester. He says :

" One class say that they cannot trust the republican party; that it has not avowed its hostility to slavery boldly enough, or its affection for freedom earnestly enough. I ask, in reply, is there any other party which can be more safely trusted? Every one knows that it is the Republican party or none that shall displace the Democratic party. But I answer further, that the character and fidelity of any party are determined necessarily not by its pledges, programmes, and platforms, but by the public exigencies, and the temper of the people when they call it into activity."

Away, then, with pledges and platforms by such a leader, and such a party! But, sir, the Senator not only respects the compromises of

the fathers, but he reverences their memory. Hear him in his polite "reply to the colored citizens of Albany," dated Auburn, January 10, 1843. He says :

"Gentlemen, if prejudice, interest, and passion did sometimes counsel me that what seemed to be the rights of the African race might be overlooked without compromise of principle and even with personal advantage, yet I never have been able to find a better definition of equality than that which is contained in the Declaration of Independence, or of justice, than the form which our religion adopts. If, as the former asserts, all men are born free and equal, institutions which deny them equal political rights and advantages are unjust; and if I would do unto others as I would desire them to do unto me, I should not deny them any right on account of the hue they were, or of the land in which they or their ancestors were born. Only time can determine between those who have upheld and those who have opposed the measures to which you have adverted. But I feel encouraged to wait that decision: since, in a moment when, if ever, reproaches for injustice should come, the exile does not reproach me, the prisoner does not exult in my departure, and the disfranchised and the slave greet me with their salutations. And if every other hope of my heart shall fail, the remembrance that I have received the thanks of those who have just cause to upbraid the memory of our forefathers and to complain of our contemporaries will satisfy me that I have not lived altogether in vain.

"May that God whose impartial love knows no difference among those to whom He has imparted a portion of His own spirit, and upon whom He has impressed His own image, reward you for your kindness to me now and in times past, and sanction and bless your generous and noble efforts to regain all the rights of which you have been deprived."

Go, now, Republicans, to your council-board at Chicago; and when you have called your roll of States, and no voice responds from those where rest the ashes of Washington and Jefferson, of Madison and Monroe, of Sumpter and Marion, nominate as ruler of those subject provinces the man who proclaims to the free negroes of the land that they have just cause to upbraid the memory of these illustrious dead, and perhaps their patient sons will tamely submit to the degrading yoke.

Mr. President, I am no alarmist. I would not unnecessarily indulge in forebodings of ill in reference to the future. I come from a State which was first to adopt the Constitution under which we live, and which will be the last, under any and all circumstances, to abandon it. No son of hers has ever proved disloyal to the Union of these States, or breathed aught but hope that that Union may be perpetual. But, sir, I cannot shut my eyes to the alarming indications of the present, any more than close my ears to the instructive but warning voice that comes up from the incidents of the recent past. If heretofore the darkened clouds have at times swept furiously across our political heavens, the storm has fortunately been spent in air. But, sir, I see the indications, the manifest proofs of a gathering storm that shall shake terribly this whole land. It was given to the prophetic spirit of the Father of his Country to foresee and warn his countrymen of its sure approach. A geographical party has been formed, relying solely for success upon the force and strength of sectional numbers, denying the equality of the States of this Union; proclaiming through their chief that fifteen States of that Union have no constitutional guarantees for their property and institutions, "which cannot be released and ought not to be relinquished."

This party is now rallying for the possession of that power which will enable them to manifest in act what they have proclaimed in word. It carries a blood-stained flag, upon which is inscribed a motto new and terrible, but fitly expressive of its true designs. That

motto is, "*Lawlessness.*" Through its chief, it openly declares that "no pledges, programmes, or platforms can bind it; but that its action will be determined by the public exigencies and the temper of the gathering hordes who swell its ranks;" that constitutions and laws can no more rise above the virtue of the people than the limpid stream can climb above its native spring.

The only tribunal known to your Constitution for the determination of such questions has decided that Congress has not the constitutional authority to prohibit the existence of African slavery in any of the Territories of the United States. In utter contempt of this decision, the miscalled Republican party avow that, if successful in their efforts to gain the political control of this Government, they will, by congressional legislation, make that prohibition, and that they will so construct the Federal judiciary that they shall register, as constitutional, their decrees. A lawless legislature, a pliant, subservient, party-fearing, and corrupt judiciary! When these things are consummated liberty will have fled our land and ascended to her native heaven.

Mr. President, against such calamities I know of but one protection. It is in the union and harmony of the Democratic party, and the co-operation therewith of all truly conservative and Union-loving citizens throughout this whole country—North, South, East, and West. The Senator from New York was right when he declared that the issue was between the Democratic and Republican parties. There never has existed in this country at the same time more than two great political parties. There can exist but two now. This is no time for the formation of a Union or other party. There has existed in this country a great Union party from the beginning, and it exists to-day, powerful and great. It stands to-day the bulwark of the Constitution; the conservator of the Union of these States. Under its guiding counsels we have increased from less than five, until we now number thirty millions of people. Its policy has swelled the number of your States from nearly the original number—thirteen—to thirty-three. It has acquired for you every foot of territory which has been added to your national domain. It took the banner of your Union and planted it upon your southern Gulf, and Florida became one of the galaxy of States. It took that banner and planted it upon the vast Territory of Louisiana—an empire in itself; and thus extended your possessions towards the setting sun. It took that banner and planted it upon the virgin soil of Texas; and she now is one of the sisterhood of States. Westward still "the star of empire takes its way;" and, faithful to its true mission of expansion and development, it takes that same banner of your Union and, marching right onward, plants it in glorious triumph upon the shores of the mighty Pacific; and Utah, New Mexico, and California are yours forever. This true Union party has made ours an ocean-bound Republic; great, mighty, prosperous, and free. In peace it has developed our resources and expanded our power; and in war, it has successfully maintained our rights, and nobly vindicated our national honor. Under its policy, and by its counsels, in peace and in war, the feeble Republic of yesterday has become one of the greatest and mightiest among the nations of the earth.

Mr. President, this true Union party will also soon meet, through its representatives, in national council. When its roll is called, there shall be a response from every State in this vast Confederacy—from Maine to Oregon; from Georgia to California; from northern lakes to southern Gulf. From the banner which shall float over the hall of its assemblage no star shall be effaced; but its banner shall be the banner of our common Union. If counsel of one of its feeblest yet most devoted of friends could be heard by that convention, it would be: Be true to your principles; be just to all the members of the noble party you represent; accept the issue presented by the Senator from New York and those whose chief he is; apply no new tests of party faith; forget your past differences upon abstract and comparatively unimportant issues; be tolerant of present differences of opinion on questions of minor importance; lay upon the altar of your country's good your personal, political Isaacs; have no political Pauls or Apollos; plant yourselves firmly upon the great principle of non-intervention by Congress with slavery in State, Territory, or the District of Columbia; and, remembering that a nation's destiny may depend upon your deliberations, go forth to the achievement of a noble and a glorious triumph.

IN EXCHANGE

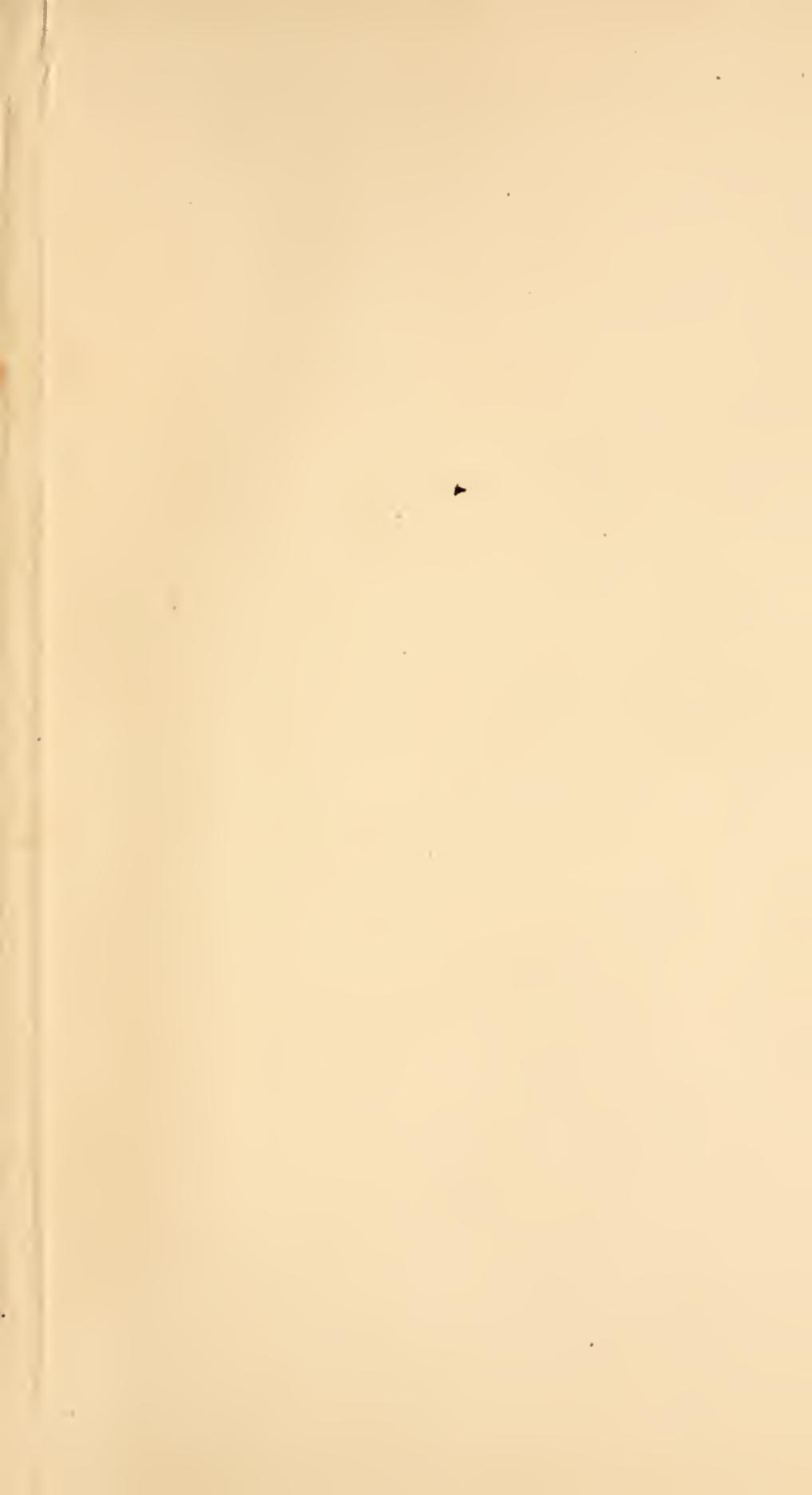
JUN 5 1917











LIBRARY OF CONGRESS



0 011 895 882 2

